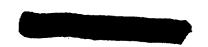


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May 7, 1997

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Mr. William F. Caton, Secretary Federal Communications Commission 1919 M Street, N.W., Room 222 Washington, D.C. 20554

MAY ... 8 1997

Federal Communications Commission
Office of Secretary

Re:

Ex Parte Presentation CC Docket No. 96-45

Dear Mr. Caton:

In accordance with the Commission's Rules regarding ex parte communications, I am writing to notify the Commission that the undersigned, L. Marie Guillory of the National Telephone Cooperative Association, James Casey of Morrison & Foerster and the NTCA members listed below met on April 16, 1997 with Stephen Klitzman of the Office of Legislative and Intergovernmental Affairs, and Kathleen Franco and Chuck Keller of the Common Carrier Bureau. The following NTCA members attended the meeting:

Joe Manuel, Daryl Gerlaugh & Doug Torres Gila River Telecommunications Authority Chandler, Arizona

Skip Richter
Fort Mojave Telecommunications,

Fon Mojave, Arizona

J. D.Williams and Ivan Bruguier Cheyenne River Sioux Telephone Authority Eagle Butte, SD

The issues discussed pertained to the eligibility of Native American owned companies for federal universal service support and a technical correction to the Telecommunications Act of 1996.

This notice was not sent earlier through inadvertence. Two copies of this letter are being submitted. Should you have any questions regarding this matter, please contact me at 298-2359.

Respectfully submitted, L. Marie Gullery

L. Marie Guillory Regulatory Counsel

Legal and Industry

cc:

Kathleen Franco Chuck Keller Stephen Klitzman

Attachment

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TECHNICAL CORRECTION TO TELECOMMUNICATIONS ACT OF 1996

47 U.S.C. 214(e)

Add a new paragraph (4) as follows and renumber existing paragraph (4) as paragraph (5), and renumber paragraph (5) as paragraph (6)

"(4) A common carrier not subject to the jurisdiction of a state commission, including a carrier owned, controlled or operated by a federally recognized Indian tribe, that meets the requirements of paragraph (1) shall be designated as an eligible carrier upon request to the Commission.

Revise the heading of the redesignated paragraph (6) to read: "Service Area and State Commission Defined" and add the following:

"For the purposes of this Section and Sections 251, 252 and 253, the term "state" or "state commission" includes a commission, board, or official (by whatever name designated) which under the laws of a tribal authority has jurisdiction over a carrier owned, controlled or operated by a federally recognized Indian tribe.

[ALTERNATE: Delete reference to Section 251, 252 and 253 from above]



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